

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN THE MATTER OF:)	No. B-09-81201 C-13D
David S. Lieber)	
Mary A. Lieber)	
)	
Debtor(s))	

ORDER GRANTING MODIFICATION OF PLAN

On September 29, 2011, a hearing was held on Motion by the Debtors to modify their Chapter 13 plan pursuant to 11 U.S.C. §1329. At the hearing, Koury Hicks, Esq. appeared on behalf of the Debtors; Richard M. Hutson II, Standing Trustee appeared; and, no other party appeared or objected to the Motion. The Court, after considering the Motion and having heard and considered the statements of the Trustee, finds that there is sufficient evidence of a substantial change in the Debtors' circumstances and that the modification complies with the provisions of 11 U.S.C. §1325; therefore, it is ORDERED:

1. The Motion by the Debtors pursuant to 11 U.S.C. §1329 is granted.
2. The Debtors' plan payments are scheduled at \$606.00 per month beginning October, 2011, and shall continue until all secured and priority claims are paid in full and the applicable commitment period is satisfied.
3. Any default in payments prior to October, 2011, under the plan is waived and the plan shall be extended to the term necessary to pay the delinquent amount.
4. John T. Orcutt, Esq. is allowed the presumptive fee of \$250.00 for services rendered in the filing of this Motion which shall be paid through the Debtors' plan.

PARTIES IN INTEREST

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David S. Lieber
Mary A. Lieber
601 Diamond Court.
Rincon, GA 31322

John T. Orcutt, Esq.
6616-203 Six Forks Rd.
Raleigh, NC 27615

Richard M. Hutson, II
Standing Trustee
PO Box 3613
Durham, NC 27702